



# City of Carmel

## **Carmel Advisory Board of Zoning Appeals Hearing Officer Monday, November 22, 2004**

The meeting was held at 6:15 PM in the Caucus Rooms on the Second Floor of Carmel City Hall on November 22, 2004. The Hearing Officer was James Hawkins.

Department of Community Services Staff in attendance was Angie Conn and Jon Dobosiewicz. John Molitor, Legal Counsel, was also present.

### **D. Public Hearing:**

#### **1d. Woodacre Park, Lot 1 - Bindner Residence**

The applicant seeks the following development standards variance:

**Docket No. 04100029 V** Chapter 25.02.02 fence height

The site is located at 6 Woodacre Drive. The site is zoned R-1/Residence.

Filed by Mr. & Mrs. Bindner.

Present for the Petitioner: Patty and George Bindner, 6 Woodacre Drive. They have a small sloping yard that backs up to the neighbor's garage. For privacy, they want to replace the six foot fence with a seven foot cedar fence in the back because their property is lower. Pictures were shown.

Members of the public were invited to speak in favor or opposition to the petition: no one appeared.

The Public Hearing was closed.

Mrs. Conn gave the Department Report. The Department is recommending positive consideration.

Mr. Hawkins **APPROVED Docket No. 04100029 V, Bindner Residence.**

#### **2d. ~~TABLED Wood Creek, Sec 1, lot 9~~**

~~The applicant seeks the following development standards variance:~~

~~**Docket No. 04090027 V** Chapter 25.02.02 Fence height~~

~~The site is located at 11535 Creekside Ln E. The site is zoned S-1/Residence.~~

~~Filed by Jason Plake and Erin Rhodes.~~

#### **3d. North Augusta, Sec 1, Lot 13pt - Brinson Bldg**

The applicant seeks the following development standards variance:

**Docket No. 04100006 V** Chapter 25.07.02-09(b) number of signs

The site is located at 3934 W 96th St. The site is zoned B-2/Business within the US 421 Overlay. Filed by Jacob Brinson for Brinson Properties, LLC.

Present for the Petitioner: Dr. Erin Rabel, Chiropractor in the building. She had power of attorney to act on Jacob Brinson's behalf. The current sign sets out front with the address and name of the building, but there is no tenant information. They want to add a sign on the building. Pictures of the sign were shown.

Members of the public were invited to speak in favor or opposition to the petition: no one appeared.

The Public Hearing was closed.

Mrs. Conn gave the Department Report. The existing ground sign only identifies the building and not the tenant. The proposed sign meets the Ordinance. The Department is recommending positive consideration.

Mr. Hawkins **APPROVED Docket No. 04100006 V, North Augusta, Sec 1, Lot 13pt - Brinson Bldg.**

**4d. Ed Martin Acura**

The applicant seeks development standards variance:

**Docket No. 04100020 V** Chapter 25.07.02-08.b number of signs

The site is located at 3800 E 96th Street. The site is zoned B-3/Business.

Filed by Larry Kemper of Nelson & Frankenburger for Ed Martin Acura.

Present for the Petitioner: Larry Kemper with Nelson & Frankenburger, Carmel. Also present was Dan Chapel on behalf of Ed Martin Acura. The Ed Martin Dealership previously contained Pontiac, GMC and Acura vehicles for sale. Ed Martin transferred the Pontiac and GMC aspect of the dealership to the store on Michigan Road, making this store exclusively Acura. As part of the conversion, Acura requires participation in their program with certain design standards. Use of the Acura name and logo are required. The location is permitted one sign per frontage. There is presently a sign on the Marie Drive frontage and there is one on 96<sup>th</sup> Street. This variance is for a second wall sign on 96<sup>th</sup> Street which identifies the Ed Martin name. The ADLS was approved by the Plan Commission.

Members of the public were invited to speak in favor or opposition to the petition: no one appeared.

The Public Hearing was closed.

Mrs. Conn gave the Department Report. The additional sign will identify the dealer. The Department is recommending positive consideration.

Mr. Hawkins **APPROVED Docket No. 04100020 V, Ed Martin Acura.**

**E. Old Business.**

There was no Old Business.

**F.**     New Business.

There was no New Business.

**G.**     Adjourn.

The meeting was adjourned at 6:30 PM.

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James R. Hawkins, Hearing Officer

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Connie Tingley, Secretary